

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA

v.

MARK VISCONI,

Defendant

Case No. 1:19CR 258

STATEMENT OF FACTS

The United States and Defendant, MARK VISCONI, agree that, at trial, the United States would have proven the following facts occurred within the Eastern District of Virginia and elsewhere beyond a reasonable doubt with admissible and credible evidence:

1. Between approximately November 23, 2015, and June 10, 2016, VISCONI knowingly received and attempted to receive child pornography using the Internet, in violation of Title 18 United States Code, Section 2252(a)(2).
2. Specifically, VISCONI used his computer to access the internet and view, download, and watch images and videos of children engaged in sexually explicit conduct.
3. On at least one occasion, VISCONI visited a bulletin board operating on Tor, an anonymous online network. While on that bulletin board, he browsed a section titled "Pre-teen Hardcore," sub-forum "Videos". In that sub-forum, he viewed a post which contained the following text: "named as found!!! with sound I like the message on the radio/tv while she moans." Below the post, which contained a video, were 16 thumbnail images from the video that depict various stages of a minor female masturbating. The thumbnails include images of her licking her

undeveloped right breast and touching her genitalia. The file name of the video is “NEW PRIVATE 11yo daughter masturbation in her room (very good).mp4.” The post on the sub-forum shows that the file is 11.7 MB in size and is 00:02:35 in duration. The post contained a file sharing web address as well as a password to access the video.

4. VISCONI visited the file sharing web address and downloaded the “NEW PRIVATE 11yo daughter masturbation in her room (very good).mp4” video. He then watched it on his computer. The file consists of a video consistent with the thumbnail images, depicting a prepubescent, minor female, lying on her back, using her arm to raise her shirt to expose her breasts. Over the course of the video, she touches and licks her breast, lowers her pants and exposes her vagina, and uses her fingers to rub her genitalia. The camera oscillates between recording her touching her breasts and genitalia. No pubic hair is visible and her breasts are slightly developed. The pillow the juvenile is laying her head on has characters from the animated film Beauty and the Beast.

5. In addition to the above video, VISCONI downloaded and viewed various other child pornography videos, including but not limited to¹:

- Pthc ambar puta 12 yr hot 2014.wmv
- (pthc) new home-made-[redacted]6yr (2).avi
- !!(~pthc center~) (opva) (2014) after pee 10 yr girl bald pussy you tube.avi
- (~pthc center~) (2012) (opva) 4yr girl naked on couch laying down spreading.avi
- (~pthc center) (opva soft) (2014) 3yr girl pants pulled down (2) (2) (2).avi
- 5yo_[redacted]_dad_extasy.avi
- 5yo anal sex.wmv
- 14yo forced blowjob.mp4
- 10 yo beauty preteen blowjob with daddy.avi
- 9 yo boy fucks 12 yo girl on a hammock outside.avi
- 7 yr doggy w sound.wmv
- Girl 12 yo masturbation.avi
- 11yo dance strip spread.avi

¹ Names appearing in the file titles have been redacted.

- (~pthc center~) (opva) (2013) [redacted]10yr opening pussy pulling panties youtube.avi
- Pthc 2009 [redacted] 16.avi
- Pthc 2009 [redacted] 03.avi
- Pthc 2009 [redacted] 20.avi
- [redacted]7yo girl in bed with her father.mp4
- !new pthc dark studio].avi
- (pthc)_2011_little_asian_sisters_(lesbian).avi
- 6Yo Girl Has Sweet Orgasm When Daddy Stimulates Her Pussy With Vibrator, Sound (Pthc Babyj.avi
- (pthc) (hussyfan) (sdpa) (lolipop) (retsmahx)2009 webcam pt - xxcaliaxx2.avi
- (thai pthc) (Q*QH) lolipop issue 1-01d short ([redacted] 11y and [redacted] 8y, 2009).avi
- pthc center (opva) bibigon vibro-school pt 2 with cum_xvi d showzao.avi

6. The images and videos that the defendant downloaded and watched electronic media depict actual children under 18 years old engaging in sexually explicit activity, including images depicting minors under 12.

7. Separately, the defendant used his iPhone to create approximately 441 image files focusing on the clothed buttocks of juvenile girls. The girls in the photos are clothed, and the majority of the photos focus on the buttocks of girls wearing shorts, leggings, or tight jeans. A subset of the photos appear to be attempted “upskirt” photos, with the camera at a low height, angled upward underneath either skirts or loose shorts, in at least one of these the girl’s underwear is visible and in another either shorts or brief-style underwear are visible. Some of the photos are clearly taken outdoors, whereas others appear to be taken indoors. It does not appear that the subjects of the photos are aware that the photos are being taken. These photographs do not appear to constitute child pornography.

8. The defendant used the following devices in connection with receiving and downloading child pornography:

- HSI LI 001 – Apple iMac, Serial Number: C02H6HC4DHJF
- HSI LI 002 – Seagate Back Plus 1TB HD, Serial Number: NA5C3JK6

- HSI LI 004 – Apple Mac Mini Model A1176 (No Serial Number noted)
- HSI LI 007 – Apple MacBook, Serial Number: C1MHHPEJDV13
- HSI LI 008 – Apple iPad Model A1395, Serial Number: DN6G9XGFDFHW

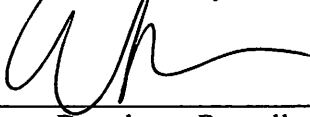
9. This Statement of Facts includes only those facts necessary to support the Plea Agreement between Defendant and the government. It does not include each and every fact known to Defendant or to the government, and it is not intended to be a full enumeration of all of the facts surrounding Defendant's case.

10. The actions of Defendant, as recounted above, were in all respects knowing and deliberate, and were not committed by mistake, accident, or other innocent reason.

Respectfully submitted,

G. Zachary Terwilliger
United States Attorney

By:



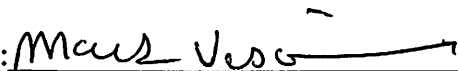
Whitney Dougherty Russell
Assistant United States Attorney

Date:

DEFENDANT'S STIPULATION AND SIGNATURE

After consulting with my attorney and pursuant to the plea agreement entered into this day between the Defendant and the United States, I hereby stipulate that the above Statement of Facts is true and accurate, and that had the matter proceeded to trial, the United States would have proven the same beyond a reasonable doubt.


Date: 4/08/19

By: 
MARK VISCONI
Defendant


DEFENSE COUNSEL'S SIGNATURE

I am the counsel for MARK VISCONI. I have carefully reviewed the above Statement of Facts with the Defendant. To my knowledge, the Defendant's decision to stipulate to these facts is informed and voluntary.

Date: 4 OCT 19

By: 
James Phillips, Esq.
Counsel for Defendant

Date: 4 OCT 19

By: 
Sean Marvin, Esq.
Counsel for Defendant